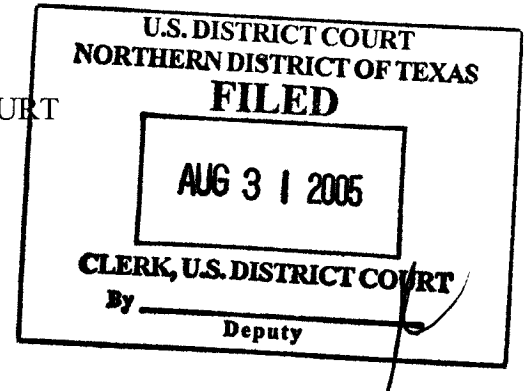


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



WILLIE HERMAN JACKSON, SR.

Plaintiff,

VS.

DETECTIVE J.C. JOHNSON, ET AL.

Defendants.

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NO. 3-05-CV-1230-H

ORDER REGARDING MOTION TO PROCEED IN FORMA PAUPERIS ON APPEAL

After conducting a review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b)(1), I am of the opinion that the Findings and Recommendation of the Magistrate Judge are correct and they are hereby accepted as the Findings of the Court.

It is therefore ORDERED that pursuant to 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), the court certifies that the appeal is not taken in good faith and plaintiff's motion to proceed *in forma pauperis* on appeal is DENIED. Although this court has certified that the appeal is not taken in good faith under 28 U.S.C. § 1915(a)(3) and FED. R. APP. P. 24(a)(3), the plaintiff may challenge this finding pursuant to *Baugh v. Taylor*, 117 F.3d 197 (5th Cir. 1997), by filing a separate motion to proceed IFP on appeal with the Clerk of the Court, U.S. Court of Appeals for the Fifth Circuit, within 30 days of this order

SO ORDERED this 31 day of August, 2005.


UNITED STATES DISTRICT JUDGE